

Article - Environment

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§2-609.1.

(a) In this section, “approval” means approval for prevention of significant deterioration or approval of new sources in nonattainment areas.

(b) (1) (i) A person may not knowingly act or fail to act in violation of a condition or requirement imposed on the person by a permit or approval issued under this title.

(ii) A person may not knowingly fail to obtain a permit or approval that the person knows or should have known is required under this title.

(iii) A person may not violate a duty imposed on the person by a rule, regulation, order, or approved plan for compliance adopted or issued under this title with knowledge that the person’s conduct constitutes a violation of the duty.

(2) A person who violates a provision of this subsection is guilty of a misdemeanor and on conviction is subject to:

(i) For a first offense, a fine not exceeding \$25,000 or imprisonment not exceeding 1 year or both; or

(ii) For a violation committed after a first conviction under this section, a fine not exceeding \$50,000 or imprisonment not exceeding 2 years or both.

(3) Each day on which violations occur is a separate violation under this subsection.

(4) This subsection does not apply to violations enumerated in subsection (c) of this section.

(c) A person is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$10,000 for each day of violation or imprisonment not exceeding 6 months or both if the person:

(1) Knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this title or any rule, regulation, order, approved plan for compliance, approval, or permit adopted or issued under this title; or

(2) Knowingly falsifies, tampers with, or renders inaccurate any monitoring device or methods required to be maintained under this title or any rule, regulation, order, approved plan for compliance, approval, or permit adopted or issued under this title.

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